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Agenda item 113 (c)

HUMAN RESOURCES MANAGEMENT: RESPECT FOR THE PRIVILEGES AND IMMUNITIES OF OFFICIALS OF THE UNITED NATIONS AND THE SPECIALIZED AGENCIES AND RELATED ORGANIZATIONS

Stress management

Note by the Secretary-General

I. INTRODUCTION

1. In its resolution 47/226 of 30 April 1993, the General Assembly, in taking note of the comments in the report submitted on the respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations (A/C.5/47/14), requested that further information be provided on how best to assist and rehabilitate staff members dealing with the after-effects of traumatic and stressful security-related experiences. The present note is submitted in response to that request.

2. The occupational stress inherent in the activities of the United Nations system is an issue that can no longer be ignored. Staff of the system are increasingly being asked to confront situations without having developed the appropriate skills to cope with them. There is insufficient awareness of the impact on alertness, performance and judgement and the resulting negative implications in terms of operational mistakes and harmful effects on the health of staff exposed to stress conditions. It is therefore essential that mechanisms providing for adequate planning, training and support for staff working in stressful situations be put in place on a system-wide basis.

3. This issue was discussed during an ad hoc inter-agency security meeting that was held in New York in May 1994, the recommendations of which were subsequently endorsed by the Administrative Committee on Coordination (ACC) in October 1994. At the meeting, it was decided that, in view of the link between security incidents and critical-incident stress, the United Nations Security Coordinator should serve as the focal point for developing a strategy to manage

stress. The meeting also decided that there should be a two-tiered strategy for stress management: preventive stress management and critical-incident stress management. The Security Coordinator has been working with the Office of Human Resources Management and with other organizations of the United Nations system to develop this strategy.

II. PREVENTIVE STRESS MANAGEMENT

4. Knowledge is the cornerstone of prevention. Preventive stress management is designed to ensure that a staff member, before travelling on mission or assignment, is fully briefed regarding what to expect. It is also designed to ensure that a staff member returning from mission is fully integrated into his or her regular environment.

5. To meet this requirement the Office of Human Resources Management has recently developed a mission-readiness workshop, in which participants are provided with information about cumulative and critical-incident stress as well as what steps they can take to cope with this stress. It is expected that these workshops will be held regularly on a quarterly basis. In addition, relevant information on stress management, including a video, a multimedia presentation and printed material, is being developed as part of the mission-readiness package.

6. It is still necessary to develop systematic post-mission debriefing, where staff members will be provided with a support network for reintegration and return to their regular routine work assignments. Included in this would be a process of follow-up of staff members who have experienced critical incidents.

III. CRITICAL-INCIDENT STRESS MANAGEMENT

7. A critical incident is an event outside the range of normal human experience that causes extreme distress. Such events are usually sudden, life-threatening or physically or emotionally disturbing. Some examples are:

(a) Witnessing casualties or destruction from either natural or man-made disasters or civil strife;

(b) Serious injury or death of a relative, friend or co-worker;

(c) Being the victim of violent crime.

8. Critical-incident stress is not a medical condition. It is a normal reaction to an abnormal event. The most important action in dealing with critical-incident stress is to provide individuals with a mechanism to defuse the reaction to the experiences they have had. The next step is a more organized debriefing led by a team specially trained in dealing with critical-incident stress. Both interventions should optimally take place within 48 to 72 hours of the event. This procedure has become routine, inter alia, for emergency relief workers such as police, firefighters and emergency medical personnel.

9. To date there have been three instances in which the Security Coordinator was compelled to request the assistance of professional stress counsellors to assist staff members in the aftermath of violent security incidents:

(a) In September 1993, following the death of a senior United Nations Environment Programme (UNEP) staff member in Nairobi during a car-jacking incident, a stress counsellor was included as part of the security mission sent to investigate the incident;

(b) In November 1993, following the events in Burundi, a stress counsellor was sent to Bujumbura to counsel those staff and dependants who had been in the area where the incidents took place; and

(c) In April 1994, following the events in Rwanda, a trauma management team of stress counsellors was sent to Nairobi to counsel the evacuees. The team included the UNEP Staff Counsellor, two critical-incident stress experts generously provided to the United Nations by the Government of Canada, two counsellors from the United Nations Children's Fund (UNICEF), two locally hired psychologists and a member of the Staff Counsellor's Office in New York who had a critical-incident stress background. A total of 237 United Nations evacuees, including spouses and approximately 60 children, were met by one or more members of the trauma management team. They assisted participants in minimizing the short-term effects of the trauma they had experienced and in moving towards recovery and returning to their lives.

10. The lessons learned from these experiences have been used to develop a critical-incident stress strategy that will be specific to the needs of the United Nations. Inter alia, the intention is:

(a) To train a small number of peer counsellors at high-risk duty stations to provide immediate on-the-scene critical-incident stress defusing, as required;

(b) To train key management personnel at high-risk missions to identify critical-incident stress, to work with local counsellors and to determine when outside expertise is required;

(c) To develop a core of in-house critical-incident stress counsellors who could be called upon for debriefing and, as required, in emergencies;

(d) To develop long-term and adequate support, counselling and treatment for staff suffering from critical-incident stress.

IV. OBSERVATIONS

11. The development of a stress-management programme is a priority. It must be borne in mind, however, that the development and implementation of the Secretariat strategy in this respect will require time and resources. In the meantime the Organization must deal with the psycho-social needs of United Nations staff at any critical moment. The Office of the United Nations Security Coordinator has therefore developed a roster of mental health professionals

trained to conduct critical-incident stress debriefings and who may be called upon as necessary. The support of Member States in the development and implementation of this programme is essential.

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PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995

REVIEW OF THE IMPLEMENTATION OF THE RECOMMENDATIONS AND DECISIONS ADOPTED BY THE GENERAL ASSEMBLY AT ITS TENTH SPECIAL SESSION: ADVISORY BOARD ON DISARMAMENT MATTERS; UNITED NATIONS INSTITUTE FOR DISARMAMENT RESEARCH

Request for subvention to the United Nations Institute for Disarmament Research resulting from the recommendations of the Board of Trustees of the Institute contained in document A/49/329

Note by the Secretary-General

1. In accordance with the provisions of article VIII, paragraph 3, of the statute of the United Nations Institute for Disarmament Research (UNIDIR), 1/ the recommendation by the Board of Trustees of the Institute for a subvention of $220,000 for 1995 from the regular budget of the United Nations is hereby transmitted to the General Assembly for approval.

2. The Advisory Board on Disarmament Matters, in its capacity as Board of Trustees of UNIDIR, adopted the 1995 draft programme of work and proposed budget estimates of the Institute (A/49/329, annex II). The Board noted that, while efforts were continuing to increase the portion of administrative costs in tied contributions, many actual and potential donors were facing difficult economic times. It therefore recommended a subvention of $220,000 from the regular budget of the United Nations for 1995. The subvention has remained unchanged since 1990. It may be recalled that the programme budget of the United Nations for the biennium 1994-1995 contains a provision of $440,000 as a grant, representing the United Nations subvention to UNIDIR for 1994-1995. By section VIII of its resolution 48/230 A of 23 December 1993, the General Assembly took note of the note by the Secretary-General (A/C.5/48/16) and the recommendations of the Advisory Committee on Administrative and Budgetary

Questions 2/ and approved a subvention of $220,000 from the regular budget of the United Nations for 1994. Notwithstanding the necessary appropriation in the programme budget for the biennium 1994-1995, a formal request for a subvention for 1995 of $220,000 is being submitted to the General Assembly in keeping with established procedure.

3. Should the General Assembly decide to approve the recommendation of the Board of Trustees of UNIDIR, no additional appropriation would be required under section 3B of the programme budget for the biennium 1994-1995.

4. In its resolution 44/201 B of 2 December 1989, section IV of which was entitled "Subvention from the regular budget to the United Nations Institute for Disarmament Research", the General Assembly requested the Secretary-General "to report annually to the General Assembly on the situation of the Institute". In this connection it should be noted that the financial situation of the Institute is as follows:

(a) Funds available at the beginning of 1994 amounted to $436,700, including the operating cash reserve of $93,500;

(b) Total income recorded for 1994 from voluntary contributions ($770,300), public donations ($270,000), interest ($27,300), miscellaneous sources ($16,100), including income from sales of UNIDIR publications, and the subvention from the United Nations regular budget ($220,000) is estimated at $1,303,700. That revised estimate reflects an increase of $528,000 over the initial estimates provided in 1993, owing entirely to an increase in voluntary contributions and to contributions which were earmarked for 1994 ($46,000) but received in 1993. The details of 1994 and 1995 contributions are provided in annexes I and II to the present document;

(c) Total 1994 estimated expenditure was $1,110,300, which includes a provision of $42,400 for programme support costs. Requirements for 1995 are estimated at $1,077,000, inclusive of $40,800 for programme support. The breakdown of 1994 actual expenditure and 1995 estimates is provided in annex III to the present document;

(d) Funds available at the end of 1994 are estimated at $496,600, plus an operating reserve of $133,500.

5. It may be recalled that, in section III, paragraph 2, of its resolution 47/219 of 23 December 1992, the General Assembly decided "to keep under review the level of support costs charged to the United Nations Institute for Disarmament Research". In this connection it should be noted that when the Trust Fund for UNIDIR was established in 1983 in response to Assembly resolution 37/99 K of 13 December 1982, it was subject to the standard rate of programme support charge, namely, 13 per cent. By the end of 1983, however, the Institute, faced with financial difficulties, sought the concurrence of the Controller of the United Nations to have the Trust Fund for UNIDIR exempted from programme support charges. In addition, the Chairman of the then Advisory Board on Disarmament Studies (which also acted as the Board of Trustees of UNIDIR) wrote to the Secretary-General requesting him to waive the charges for certain

administrative and other support services provided by the Secretary-General to UNIDIR and normally subject to reimbursement by the Institute.

6. After reviewing the financial situation, the Under-Secretary-General for Administration and Management, on behalf of the Secretary-General, agreed that, effective 1 January 1984, the rate of reimbursement by UNIDIR for programme support would be reduced to 5 per cent, and that the cost of miscellaneous services which heretofore had been reimbursed by UNIDIR to the United Nations would be absorbed under the regular budget of the Organization. This arrangement is still in effect.

7. On the basis of actual workload statistics in 1994, the estimated cost of programme support provided to UNIDIR in 1994 by the United Nations Office at Geneva would amount to $171,800, as reflected in annex IV to the present report.

8. For 1994, the programme support cost to be paid by UNIDIR was estimated at $50,900, representing 5 per cent of an estimated expenditure level of $1,237,400, less the United Nations subvention of $220,000. Payment of the programme support cost by UNIDIR for 1994 was $42,400, representing 5 per cent of the actual expenditure of $1,067,900, less the United Nations subvention of $220,000.

Notes

1/ General Assembly resolution 39/148 H, annex.

2/ Official Records of the General Assembly, Forty-eighth Session, Fifth Committee, 45th meeting, and corrigendum.

ANNEX I

Details of UNIDIR 1994 revised estimated income from voluntary sources

Contributors	Amount (United States dollars)
A. Governments	
Australia	21 900
Brazil	2 000
Finland	14 100
France	275 600
Germany	27 100
Greece	14 000
Luxembourg	3 100
Myanmar	1 500
Netherlands	39 900 a/
New Zealand	8 600
Norway	192 000
Republic of Korea	11 000
Spain	32 700
Sri Lanka	3 000
Sweden	18 300 a/
Switzerland	74 300
United Kingdom of Great Britain and Northern Ireland	31 200
Subtotal A	770 300
B. Public donations	
Pledged public donations	
Ford Foundation	270 000
Subtotal B	270 000
Total	1 040 300

a/ Includes contributions totalling $46,000 received in 1993 but earmarked for 1994.

ANNEX II

Details of UNIDIR 1995 estimated income from voluntary sources

Contributors	Amount (United States dollars)
A. Governments	
Contributions received ($59,800)	
Chile	1 000
Finland	20 600
Greece	7 000
United Kingdom of Great Britain and Northern Ireland	31 200
Contributions pledged ($733,600)	
Austria	80 000
Finland	15 100
France	300 000
Germany	73 000
Netherlands	25 000
New Zealand	7 500
Norway	100 000
Republic of Korea	15 000
Switzerland	88 000
United States of America	30 000
Subtotal A	793 400
B. Public donations	
Contributions received ($165,000)	
Ford Foundation	165 000
Contributions pledged ($35,000)	
United States Institute for Peace	35 000
Subtotal B	200 000
Total	993 400

/...

ANNEX III

Actual 1994 and estimated 1995 resource requirements

(Thousands of United States dollars)

	Resource requirements	1994 actual expenditure	1995 estimates	Increase (decrease)
A.	Direct programme and administrative costs			
	Temporary assistance for meetings	4.8	12.0	7.2
	Consultants' fees and travel	136.8	92.9	(43.9)
	Ad hoc expert groups	70.1	58.0	(12.1)
	Salaries and related staff costs	469.8	551.4	81.6
	Personal service contracts	210.3	129.3	(81.0)
	Fellowship programme (stipend)	40.4	113.1	72.7
	Official travel of staff	48.6	31.1	(17.5)
	Travel of fellows	-	10.5	10.5
	External translation and interpretation	3.2	-	(3.2)
	External printing and binding	-	10.0	10.0
	Rental of conference-servicing equipment	-	4.0	4.0
	Rental and maintenance of equipment	8.3	5.5	(2.8)
	Hospitality	1.9	3.2	1.3
	Subscriptions and standing orders	-	1.5	1.5
	Supplies and materials	3.0	4.0	1.0
	Acquisition of office equipment	70.7	9.7	(61.0)
	Total	1 067.9	1 036.2	(31.7)
B.	Programme support costs (5 per cent of total A, less United Nations subvention)	42.4	40.8	(1.6)
	Total estimated expenditure (A + B)	1 110.3	1 077.0	(33.3)
C.	Operating cash reserve (15 per cent of total A and B less United Nations subvention)	133.5	128.6	(4.9)
	Total A + B + C	1 243.8	1 205.6	(38.2)

ANNEX IV

Estimated cost of programme support services provided to UNIDIR in 1994 by the United Nations Office at Geneva

Services	1994 costs a/ $
A. Apportioned costs	
Financial Services	
Payroll	1 200
Payment vouchers	12 000
Accounting and control	3 300
Investments/accounts	1 600
Budget Section	100
Total	18 200
Personnel Services	
Personnel contracts	3 800
Joint medical services	100
Total	3 900
General Services	
Travel documents	7 900
Mail and pouch	9 100
Procurement and supplies	1 300
Transportation and petrol cards	500
Telephone service	5 300
Joint housing	1 100
Electronic Services Section	1 800
Security	15 200
Total	42 200
Subtotal A	64 300
B. Direct cost	
Rental of office space b/	107 500
Grand total	171 800

a/ Based on 1994 workload data.

b/ 237.4 sq. m. x Sw F 1.70 x 365/1.37.

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HUMAN RESOURCES MANAGEMENT: OTHER HUMAN RESOURCES QUESTIONS

Convention on the Privileges and Immunities of the United Nations

Memorandum by the Secretary-General

1. By its resolution 687 (1991) of 3 April 1991, the Security Council decided upon the forming of a Special Commission (UNSCOM) to undertake the responsibilities of the United Nations in connection with the identification and disposal of Iraq's weapons of mass destruction and with the future ongoing monitoring and verification of Iraq's compliance with its undertaking not to use, develop, construct or acquire any of the items prohibited to it under section C of resolution 687 (1991). The Special Commission is a subsidiary organ of the Security Council, composed of 21 members designated in their individual capacities by the Secretary-General after consultations with Member States. It is presided over by an Executive Chairman, who is responsible for directing the carrying out of all of the activities of the Commission in Iraq and elsewhere and for maintaining liaison with the Security Council, Iraq and other interested Member States.

2. The Executive Chairman of the Commission is not a staff member of the United Nations Secretariat.

3. In similar cases involving the presiding officers of United Nations organs of a continuing nature, where those officers are not members of the United Nations Secretariat but serve the Organization on a substantially full-time basis, the General Assembly has agreed to the granting to such persons of the privileges and immunities referred to in articles V and VII of the Convention on the Privileges and Immunities of the United Nations (cf. General Assembly resolution 3188 (XXVIII) of 18 December 1973 with respect to the Chairman of the Advisory Committee on Administrative and Budgetary Questions). It is therefore proposed that the General Assembly should take a decision to grant to the Executive Chairman of the Special Commission and to his spouse and minor

children resident in the United States the privileges and immunities, exemptions and facilities referred to above.

4. Should the Fifth Committee decide to approve the Secretary-General's proposal contained herein, a decision could be submitted to the Assembly along the lines of the attached draft (see annex).

Annex

DRAFT DECISION OF THE GENERAL ASSEMBLY

Convention on the Privileges and Immunities of the United Nations

At its ... meeting, on ... March 1995, the General Assembly, on the recommendation of the Fifth Committee, having considered the memorandum by the Secretary-General on the matter, decided to approve the granting of the privileges and immunities referred to in articles V and VII of the Convention on the Privileges and Immunities of the United Nations to the Executive Chairman of the Special Commission established pursuant to Security Council resolution 678 (1991) of 3 April 1991.

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HUMAN RESOURCES MANAGEMENT: OTHER HUMAN RESOURCES QUESTIONS

Payment of repatriation grant to staff members living in their home country while stationed at duty stations located in another country

Report of the Secretary-General

1. The General Assembly, in section II D of its resolution 48/224 of 23 December 1993 on the United Nations common system, requested the International Civil Service Commission (ICSC) to study further the practices of the organizations of the United Nations common system regarding the granting of expatriate entitlements to staff members living in their home country while stationed at duty stations located in another country,

> "... with a view to harmonizing the practices of the organizations with those of the United Nations and to make recommendations thereon to the General Assembly at its fifty-first session."

2. The practice followed by the United Nations has been not to pay expatriate benefits, including repatriation grant, education grant and home leave, to staff members living in their home country while stationed at duty stations located in another country. In other words, payment of expatriate benefits was made only to those staff members who worked and resided outside their home country.

3. The practice, in so far as it related to repatriation grant, had been challenged in 1987 before the Administrative Tribunal which, in Judgement No. 408, Rigoulet, held that the practice conformed to the language in the Staff Regulations. However, in Judgement No. 656, Kremer, Gourdon, communicated to the Secretary-General on 6 October 1994, the Tribunal reversed itself and overruled Rigoulet. The Tribunal held that the language of annex IV to the Staff Regulations did not support the practice followed by the United Nations

and ordered the Secretary-General to pay repatriation grant to the two applicants.

4. The Legal Counsel has advised that a request to the Committee on Applications for Review of Tribunal Judgements to seek an advisory opinion from the International Court of Justice (ICJ) would serve no useful purpose as none of the four grounds listed in article 11, paragraph 1, of the statute of the Tribunal can be found in the case: the Tribunal acted within its competence and exercised jurisdiction; there was no error on a provision of the Charter; nor was there an error in procedure. He thus advised that the judgement must be implemented and repatriation benefits paid to the applicants. This has been done.

5. The matter is brought to the attention of the Assembly so that it can, if it wishes, take appropriate legislative action in the light of the Tribunal's interpretation of the Staff Regulations in a manner that has invalidated long-standing policy.

6. The Secretary-General notes that there would appear to be two options for legislative action:

(a) The General Assembly could accept the Tribunal's interpretation of annex IV to the Staff Regulations, either explicitly or by taking no positive action as a result of the judgement. By virtue of the general principle of equality of treatment, the Secretary-General would, in the future, have to pay repatriation grant to staff members similarly situated, i.e., to all eligible staff members who reside in their home country while working in another country, as from the date of the judgement. Should this first option be selected, there is a strong possibility that the reasoning used by the Tribunal with respect to annex IV to the Staff Regulations would eventually be extended to the interpretation of staff regulations 3.2 and 5.3 governing, respectively, eligibility to education grant and home leave. This would reverse the practice previously followed by the United Nations, and explicitly endorsed by resolution 48/224 referred to in paragraph 1 of the present report;

(b) The General Assembly could amend annex IV to the Staff Regulations, as well as staff regulations 3.2 and 5.3, in order to state explicitly that expatriate benefits are not payable unless an otherwise eligible staff member both works and resides outside his or her home country.

7. Should the General Assembly decide to adopt the first option, it could adopt a resolution in the form set out under option A in the annex to the present report, or it could simply take no action. The first variant is preferable as the matter involves fundamental legislative policy, which should be clearly set out.

8. For Geneva staff alone, it is estimated that the additional cost of paying repatriation grant to present staff members who reside in France and would become eligible for the grant on the basis of the judgement upon separation would amount to US$ 3,870,800. Extension of the Tribunal's reasoning to education grant would result in a recurrent cost estimated at US$ 1,064,000 per

year. Extension of the Tribunal's reasoning to home leave would result in a recurrent cost estimated at $199,500 per biennium.

9. Should the General Assembly decide to adopt the second option, it may wish to consider the suggested amendments to the Staff Regulations set out under option B in the annex to the present report. Furthermore, as Judgement No. 656 may constitute a disincentive for the other organizations to harmonize their practices with those of the United Nations, since their Staff Regulations are broadly based on those of the United Nations, the General Assembly may also wish to request the governing bodies of the organizations of the common system to amend their Staff Regulations and Rules in accordance with the policy reaffirmed by the Assembly, and to inform ICSC of their actions.

10. Finally, the Secretary-General notes that, unless and until the General Assembly decides to amend the Staff Regulations, he is obligated to conform to the interpretation of annex IV to the Staff Regulations given by the Tribunal in Judgement No. 656, and must therefore pay repatriation grant to eligible staff members who lived in France but worked in Geneva and have separated or will separate from service after the date of the judgement.

Annex

OPTION A: ACCEPTANCE OF PAYMENT OF EXPATRIATE BENEFITS FOR STAFF LIVING IN THEIR HOME COUNTRY AND WORKING IN ANOTHER COUNTRY

Variant 1

"The General Assembly

"1. Notes the decision of the Administrative Tribunal in Judgement No. 656, Kremer, Gourdon;

"2. Accepts the principle that expatriate benefits shall be paid to staff who live in their home country but work in a duty station in another country."

Variant 2

Take no action.

OPTION B: LIMITATION OF PAYMENT OF REPATRIATION [AND OTHER EXPATRIATE BENEFITS] TO STAFF WHO BOTH WORK AND RESIDE IN A COUNTRY OTHER THAN THEIR HOME COUNTRY 1/

"The General Assembly

"1. Notes the decision of the Administrative Tribunal in Judgement No. 656, Kremer, Gourdon;

"2. Rejects the principle that repatriation grant [and other expatriate benefits] shall be paid to staff who live in their home country but work in a duty station in another country and affirms that its intention was and remains that repatriation [and other expatriate benefits] be limited to staff who both work and reside in a country other than their home country;

"3. Amends the Staff Regulations accordingly, as follows:

1/ If this option is selected it would appear desirable to deal with all similar expatriate benefits as well. If this Assembly wishes to do so, the square brackets should be removed from the words "[and other expatriate benefits]".

"Article III

"SALARIES AND RELATED ALLOWANCES

"Regulation 3.2: (a) The Secretary-General shall establish terms and conditions under which an education grant shall be available to a staff member residing and serving outside his or her recognized home country whose dependent child is in full-time attendance at a school, university, or similar educational institution of a type that will, in the opinion of the Secretary-General, facilitate the child's reassimilation in the staff member's recognized home country.

...

"Article V

"ANNUAL AND SPECIAL LEAVE

"Regulation 5.3: Eligible staff members shall be granted home leave once in every two years. However, in the case of designated duty stations having very difficult conditions of life and work, eligible staff members shall be granted home leave once in every twelve months. A staff member whose home country is either the country of his or her official duty station or the country of his or her normal residence while in United Nations service, shall not be eligible for home leave.

"Annex IV

"REPATRIATION GRANT

"In principle, the repatriation grant shall be payable to staff members whom the Organization is obligated to repatriate and who at the time of separation are residing, by virtue of their service with the United Nations, outside their country of nationality. The repatriation grant shall not, however, be paid to a staff member who is summarily dismissed. Eligible staff members shall be entitled to a repatriation grant only upon relocation outside the country of the duty station. Detailed conditions and definitions relating to eligibility and requisite evidence of relocation shall be determined by the Secretary-General."